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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,760	08/14/2003	Jan Lundgren	7589.049.NPUS01	1759
28694	7590	07/26/2007	EXAMINER	
NOVAK DRUCE & QUIGG, LLP 1300 EYE STREET NW SUITE 1000 WEST TOWER WASHINGTON, DC 20005				HONG, JOHN C
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/604,760	LUNDGREN, JAN
	<b>Examiner</b> JOHN C. HONG	<b>Art Unit</b> 3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 May 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-3 and 5-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3 and 5-18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/15/07</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-3,5-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(1) Claim 1, line 4; Claim 7, line 4; Claim 8, line 4, "the intended radial direction" is not clearly understood. It is not clearly described in the specification what is the intended radial direction.

(2) Claim 1, line 5; Claim 7, line 5; Claim 8, line 5, "intended circumferential direction" is not clearly understood. It is not clearly described in the specification what is the intended circumferential direction.

(3) Claim 1, line 10, "intended axial direction" is not clearly understood. It is not clearly described in the specification what is the intended axial direction.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3,5,6 and 9,10,13,17 and 18 are, insofar as understood, rejected under 35 U.S.C. 102(b) as being anticipated by Havard et al. (U.S. Patent 5483034).

Havard et al. disclose (Fig. 2): Regarding Claim(s) 1, a method for manufacturing a stator or rotor component which is intended during operation to conduct a gas flow, comprising: providing a first wall part (2) having one edge (2C) bearing against the flat side (1A) of a second wall part (1), extending in radial direction of the component, in such a way that the first wall part extends in circumferential direction of the component, and in that the edge of the first wall part is then laser-welded to the second wall part in the circumferential direction, from an opposite side of the second wall part in relation to the first wall part in such a way that joined-together portions of the wall parts form a T-shaped joint (9) (Figs. 1 and 2) and wherein the first wall part is arranged such that it also extends in an intended axial direction of the component; Regarding Claim(s) 2, the first wall part is placed essentially perpendicular to the flat side of the second wall part; Regarding Claim(s) 3, the second wall part is arranged such that it also extends in the intended axial direction of the component; Regarding Claim(s) 5, the second wall part extending in the radial direction, is arranged so as to limit a gas duct (col. 1, line 16) in the circumferential direction of the component; Regarding Claim(s) 6, the second wall part is arranged such that it has the essentially radial widening for guidance of the gas flow and/or transmission of load during operation of the component; Regarding Claim(s) 9, the first wall part is placed with a second edge, which is opposite to the first-named edge, bearing against the flat side of a further second wall part , which is arranged at a distance in the circumferential direction from the first-named second wall part, and is connected thereto (Fig. 1); Regarding Claim(s) 10, the edge of the first wall part is also laser-welded to this further second wall part from an, in the circumferential direction, opposite side of the second wall part in relation to the first wall part in such a way that the joined-together portions of the wall parts form a T-shaped joint (Fig. 1);

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Regarding Claim(s) 13, the first and second wall part are arranged between an, in the radial direction, inner and outer ring element ; Regarding Claim(s) 17, the stator or rotor component is intended for a gas turbine; and Regarding Claim(s) 18, the stator or rotor component is intended for a jet engine (col.1, line 28).

5. Claims 7 is, insofar as understood, rejected under 35 U.S.C. 102(b) as being anticipated by Havard et al. (U.S. Patent 5483034).

Havard et al. disclose a method for manufacturing a stator or rotor component which is intended during operation to conduct a gas flow, comprising: providing a first wall part (2) having one edge (2C) bearing against the flat side (1A) of a second wall part (1), extending in the intended radial direction of the component, in such a way that the first wall part extends in the intended circumferential direction of the component, and in that the edge of the first wall part is then laser-welded to the second wall part from an, in the circumferential direction, opposite side of the second wall part in relation to the first wall part in such a way that the joined-together portions of the wall parts form a T-shaped joint (9) and wherein the first wall part, extending in the circumferential direction, is arranged so as to limit a gas duct in the radial direction (Figs. 1 and 2).

6. Claims 8 is, insofar as understood, rejected under 35 U.S.C. 102(b) as being anticipated by Havard et al. (U.S. Patent 5483034).

Havard et al. disclose a method for manufacturing a stator or rotor component which is intended during operation to conduct a gas flow, comprising: providing a first wall part (2) having one edge(2c) bearing against a flat side (1A) of a second wall part (1), extending in the intended radial direction of the component, in such a way that the first wall part extends in the

intended circumferential direction of the component, and in that the edge of the first wall part is then laser-welded to the second wall part from an, in the circumferential direction, opposite side of the second wall part in relation to the first wall part in such a way that the joined-together portions of the wall parts form a T-shaped joint (9) and wherein the first wall part has a shape which curves essentially in the circumferential direction (Figs. 1 and 2).

***Allowable Subject Matter***

3. Claims 11-15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

4. Applicant's arguments filed 5/9/07 have been fully considered but they are not persuasive. See the new office action.

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN C. HONG whose telephone number is 571-272-4529. The examiner can normally be reached on M-F 9:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID BRYANT can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JOHN C HONG  
Primary Examiner  
Art Unit 3726

jh  
July 23, 2007